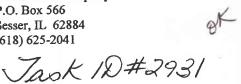


C/015/015 Incoming

Consolidation Coal Company

P.O. Box 566 Sesser, IL 62884 (618) 625-2041



February 25, 2008

Pamela Grubaugh-Littig Utah Division of Oil, Gas and Mining Coal Program 1594 West North Temple, Suite 1210 Box 145801 Salt Lake City, Utah 84114-5801

Re:

Emery Deep Mine Permit C/015/015

MRP insignificant revision to fence and storage area additional info (N.O.V. 10018, task id #2894)

Dear Mrs. Grubaugh-Littig:

Per the Divisions 1/28/08 deficiency letter please consider this a submittal to address those deficiencies.

Enclosed please find 2 copies including an executed C1 form, C2 form, revised pages and revised Plate II-3 (4th East Portal surface Facilities). A copy has been forwarded to your price field office. A cd with the submittal in pfd format is enclosed. Attached also find the Division deficiencies reproduced with responses.

If you have any questions concerning this request, please call me at (618) 625-6850.

Sincerely,

John Gefferth

Environmental Engineer

CC: Karl Houskeeper - DOGM-Price Field Office-with attachments

Attachments

JAG/jag emery4theast.fence.addinfo.doc

RECEIVED

FEB 2 5 2008

Refer to:

Confidential

Shelf Expandable

Date 22508 or additional information

DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration	Bond Release Transfer T
Permittee: Consolidation Coal Company	
Mine: Emery Mine	Permit Number: 015/015
Title: 4 th East storage area fence	2/08
Description, Include reason for application and timing required to implement:	
4th East storage area fence NOV 10018 additional info	
Instructions: If you answer yes to any of the first eight (gray) questions, th	
Yes No 1. Change in the size of the Permit Area? Acres: D Yes No 2. Is the application submitted as a result of a Division Or	
Yes No 3. Does the application include operations outside a previous	
Yes No 4. Does the application include operations in hydrologic b	
Yes No 5. Does the application result from cancellation, reduction	
Yes No 6. Does the application require or include public notice pu	
Yes No 7. Does the application require or include ownership, cont	
Yes No 8. Is proposed activity within 100 feet of a public road or	
Yes No 9. Is the application submitted as a result of a Violation?	
Yes \boxtimes No 10. Is the application submitted as a result of other laws or <i>Explain</i> :	
Yes No 11. Does the application affect the surface landowner or ch	
Yes No 12. Does the application require or include underground de Yes No 13. Does the application require or include collection and r	
Yes No 13. Does the application require or include collection and r Yes No 14. Could the application have any effect on wildlife or veg	
Yes No 15. Does the application require or include soil removal, st	
Yes No 16. Does the application require or include vegetation mon	
Yes No 17. Does the application require or include construction, m	odification, or removal of surface facilities?
Yes No 18. Does the application require or include water monitoring	
Yes No 19. Does the application require or include certified design	s, maps or calculation?
Yes No 20. Does the application require or include subsidence com	trol or monitoring?
Yes No 21. Have reclamation costs for bonding been provided?	
Yes No 22. Does the application involve a perennial stream, a stream	
Yes No 23. Does the application affect permits issued by other age	ncies or permits issued to other entities?
Please attach four (4) review copies of the application. If the mine is on (5) copies, thank you. (These numbers include a copy for the Price Field Office)	or adjacent to Forest Service land please submit five
I hereby certify that I am a responsible official of the applicant and that the information contains and belief in all respects with the laws of Utah in reference to commitments, undertakings, and	ed in this application is true and correct to the best of my information obligations, herein.
Jonathan M. Pachter Print Name Sign	Name, Position, Date General Manager, Environmental Services
Subscribed and sworn to before me this 20th day of February ,2008	COMMONSTRATION
Subscribed and sworn to before me this 20th day of <u>February</u> , 2008	COMMON ALL STATES SEAL STATES AND
Janes L Davis	
Notary Public My commission Expires: June 23 .2008 }	Upper St. Clair Two. Allegheny County My Commission Copies June 23, 2000
Attest: State of Pennsylvania } ss:	Member, Pennsylvania Association of Notaries
County of Allegheny	Association of Notaries
For Office Use Only:	Assigned Tracking Received by Oil, Gas & Mining
	Number: RECEIVED
	FEB 2 5 2008
	DIV. OF CIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permi		lation Coal Co		
Mine:	Emery Mine		Permit Number:	015/015
Title:	4th East stora	ge area fence	NOV 10018 additional info	2/08
applica of conte	tion. Individually ents, section of the	list all maps and list all maps and list all maps and list all maps are list.	to the Mining and Reclamation Plan, which is required as a result of the drawings that are added, replaced, or removed from the plan. Incluinformation as needed to specifically locate, identify and revise the explanation and drawing number as part of the description.	de changes to the table
			DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE O	CHANGED
☐ Add	□ Replace	Remove	Chapter II, Pages 17c and 17f	
☐ Add	Replace	Remove		
☐ Add	_	Remove	Chapter IV, APP, IV.B, Pages total, 18jj4, 18jj5	
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Form DOGM - C2 (Revised March 12, 2002)

Deficiency List #2894 4th East Facilities – Storage Area and Fence 2/08

R645-301-526

The Permittee must include a narrative in the application that explains that Plate II-3 was updated to show the on the ground conditions. The permittee must also update any additional maps of the 4th East Portal area to show the as-built conditions. In addition, the Permittee must also remove the word *proposed* from the phase *proposed fence* since the Permittee will construct the fence. (WW)

Refer to Plate II-3 for a narrative that explains the map update. The word proposed has been removed from Plate II-3.

R645-301-830.140

The Permittee must include information about the reclamation cost estimate for the changes to the mine plan such as the addition of the sheds and fence. If the as-built survey shows that additional structures have been constructed then the Permittee must also include information about those costs. (WW)

Please refer to CH IV, APP IV.b pages 18jj4, 18jj5 and total for updated reclamation costs.

R645-301-512, -521

The Permittee must reconcile the approved Plate II-3 with the recently submitted Plate II-3. Upon review of the recently submitted Plate II-3, *4 East Portal Surface Facilities*, there are discrepancies with Plate II-3 within the approved MRP. For example, a "proposed berm" is depicted on the approved Plate II-3 approximately 15-18' west of Cowboy Mine Road No. 915. The newly submitted Plate II-3 depicts the berm approximately 25-30' west of Cowboy Mine Road No. 915. In addition, the cattle guards depicted at the northeast entrance to the facility on the approved Plate II-3 and the cattle guards depicted on the recently submitted Plate II-3 are different. (SC)

The berm has been removed from Plate II-3. A berm was initially planned to be constructed to contain and direct affected surface runoff from the storage area to Pond 9. During topsoil removal, and widening of the road by the Emery County, it became apparent that a berm would not be required. The affected surface area drains naturally to map item #22 (18' culvert) and then to Pond #9. The cattle guards (map item 25) were depicted in their original design location, Plate II-3 has been revised to show their as-built location.

R645-301-742.231

The Permittee must provide the Division with the design information (calculations and cross-section) for the berm depicted on the east side of the supply yard (#27 on Plate II-3). Per R645-301-742.231, the berm must be designed to contain the 10-year, 24-hour precipitation event. (SC)

The berm has been removed from Plate II-3. A berm was initially planned to be constructed to contain and direct affected surface runoff from the storage area to Pond 9. During topsoil removal, and widening of the road by the Emery County, it became apparent that a berm would not be required. The affected surface area drains naturally to map item #22 (18' culvert) and then to Pond #9

County Road - Cowboy Mine Road No. 915

Map Code: identified on Plate II-3

Status: Existing

This road is used by local farmers and the Live Earth operation.

Storage Area

Map Code: identified on Plate II-3 Status: existing - 4th quarter 2002

Theis supply yards are located adjacent to the portal ramp, inside the loop entrance road and near the entrance and contains parts and bulk supply items used on a continual basis for either the surface or the underground operation. The yards are used to store inventory parts, machinery, and bulk items in a consistent and easily accessible manner. The supply yards are located within the proposed surface drainage control area and reports to sedimentation pond no. 9.

Airshaft

Map Code: identified on Plate II-3 Status: existing - 4th quarter 2002

The proposed airshaft will be located in the southwest portion of the disturbance area. The 16 ft diameter vertical shaft will be approximately 70 feet in depth. The airshaft and associated exhaust fan and housing is required to ventilate the underground mine workings.

Rock Dust Bin

Map Code: identified on Plate II-3 Status: existing - 4th quarter 2002

This structure is a supported steel bin 11 ft. in diameter and 38 ft. high. It is used for bulk storage and delivery of rock dust and has a capacity of 100 tons. Surface drainage from the bin area will report to sedimentation pond #9.

Inserted 10/2002 Revised 9/2003 Revised 2/08

Cattle Guard

Map Code: Identified on Map II-3 Status: Existing 4th quarter of 2003

Used to assist in collecting solids which may dislodge from truck tires under both overly wet and dry conditions. This collection sump makes it less likely for solids to be reentrained.

Oil Storage

Map Code: Identified on Map II-3 Status: Proposed – 4th Quarter of 2006

This steel building, with a concrete floor, is used to store oil products out of the weather, thereby minimizing the potential for site contamination by the stored products.

Recessed Feeder

Map Code: Identified on Map II-3

Status: ExistingProposed - 4th Quarter of 2006

This is a concrete wall placed around the feeder at the bottom of the 10,000 ton coal stockpile, used to funnel coal to the feeder.

Trash Pit

Map Code: Identified on Map II-3

Status: Existing Proposed — 4th Quarter of 2006

The trash pit consists of a concrete floor with moveable concrete side barriers and is used as a temporary storage location for trash generated at the site.

Skid Mounted Sheds

Map Code: Identified on Map II-3 Status: Existing – 4th Quarter of 2007

The portable skid mounted sheds are used for tool storage, lunch rooms, and equipment storage.

Inserted 9/2003 Revised 10/2006 Revised 2/08

Bonding Calculations

Direct Costs

Subtotal Demolition and Removal Subtotal Backfilling and Grading Subtotal Revegetation Direct Costs	\$218,579.00 \$843,656.00 \$510,251.00 \$1,572,486.00	
Indirect Costs Mob/Demob Contingency Engineering Redesign Main Office Expense Project Mainagement Fee Subtotal Indirect Costs	\$157,249.00 \$78,624.00 \$39,312.00 \$106,929.00 \$39,312.00 \$421,426.00	10.0% 5.0% 2.5% 6.8% 2.5% 26.8%
Total Cost	\$1,993,912.00	
Escalation factor Number of years Escalation	\$122,541.00	0.012 5
Reclamation Cost Escalated	\$2,116,453.00	
Bond Amount (rounded to nearest \$1,000) 2009 Dollars	\$2,116,000.00	
Bond Posted 2004 dollars	\$2,208,000.00	
Difference Between Cost Estimate and Bond Percent Difference	\$92,000.00 4.35%	

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Revised February 2006 Emery Deep Mine 015/015

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Emery Deep Mine 015/015